

Public Participation in TMDL Projects



Texas Projects Texas Style

Texas Commission on Environmental Quality
Strategic Assessment Division



Why Involve Stakeholders?



Why Involve Stakeholders?

- Better solutions come with broad participation from stakeholders at all levels
- To increase the degree of understanding issues, possible solutions, and constraints
- To build support within the watershed for necessary management measures
- Multiple parties often needed to implement solutions (Implementation Plan)



Who Are Stakeholders?

- All individuals or organizations in the watershed who:
 - live in the watershed or use the water resource
 - contribute a significant degree of impact to the watershed
 - may be required to carry out control measures
 - can help to develop or implement actions
 - have statutory or regulatory responsibilities
 - are significantly affected by the problem(s)
 - are directly affected by the project's outcome



Forming and Managing a Stakeholder Group

➤ Selecting Members

- Systematically identify stakeholders; develop a draft list with balanced representation
- Refine the list by consulting with members of existing forums and agencies
- Maximize group effectiveness and size; members must be empowered to speak and act
- Invite members, formalize commitment
- Establish and maintain a roster of members



Balanced Representation

Membership represents a diversity of viewpoints on issues to be discussed

- Geography
- Income levels
- Ethnicity
- Business (different types and sizes)
- Governments (different sizes and levels)
- Associations, trade groups, organizations
- Consumer and public interest groups
- Industries or occupations regulated and affected



Operating the Stakeholder Group

- TCEQ Approval
 - Formation of group
 - Membership
- Conduct of Meetings
 - Open to the public, inclusive
 - Ground rules and structure
 - Agendas and minutes

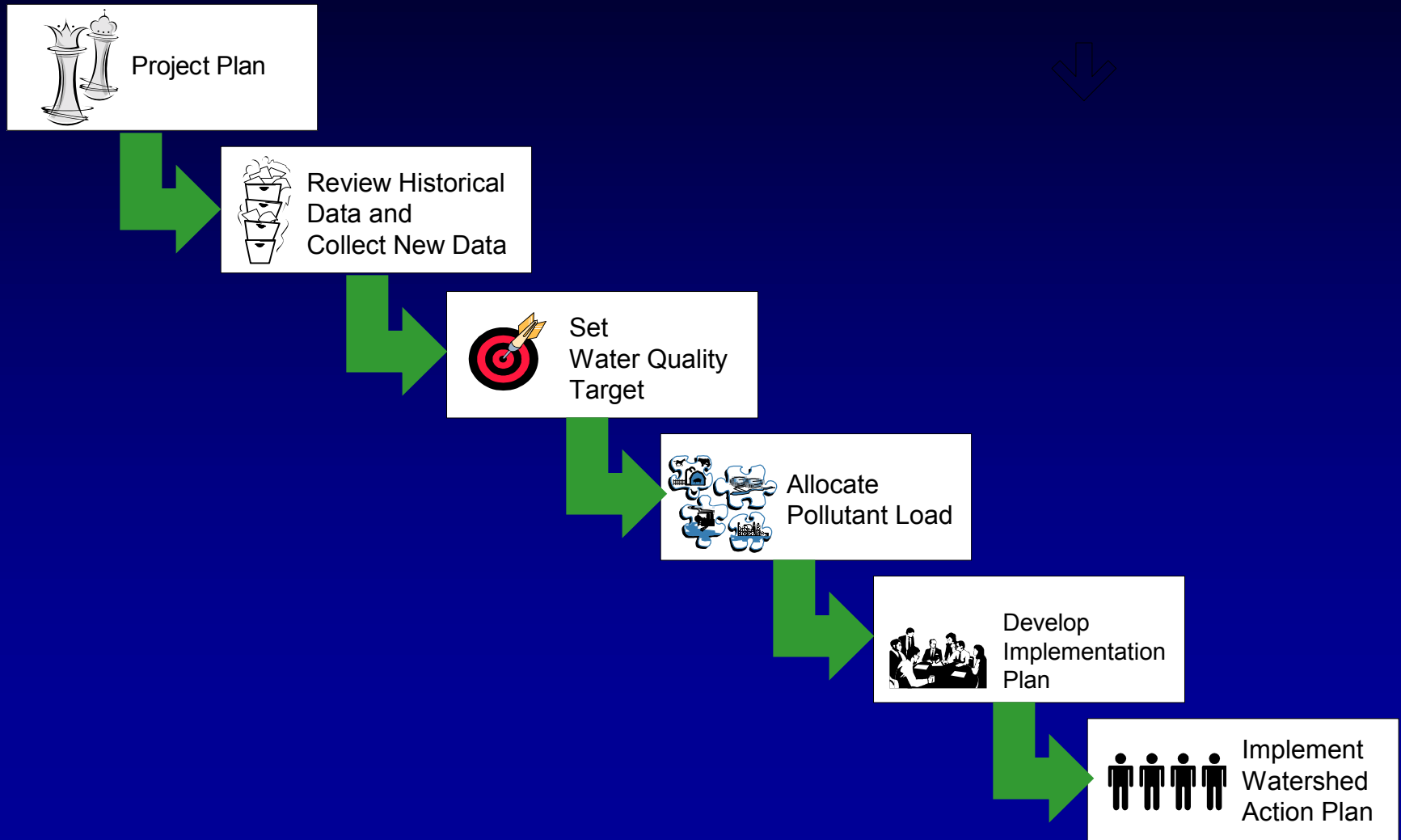


Levels of Participation

- **There are three (3) level of participation:**
 - **Involve** – Inform stakeholders and give them the opportunity to comment
 - **Consult** – Work with stakeholders to ensure they understand the issues and their ideas are considered
 - **Collaborate** – Stakeholders provide advice and innovation in formulating the project and share in the decision-making



Milestones in the TMDL Process



Determine the Right Level of Participation

Involve

Consult

Collaborate

- Your project may stay at one level of participation, or as it progresses may require a higher level.
- Evaluate your project at the beginning, and at each milestone in the TMDL development process, to determine the right level.



At the Involve Level

- All projects must provide for at least this basic level of participation
- TCEQ's Commitment to stakeholders:
 - Inform stakeholders and give them the opportunity to comment
 - Solicit formal public comment on the load allocation and implementation plan
 - Provide feedback on how comments influence decisions



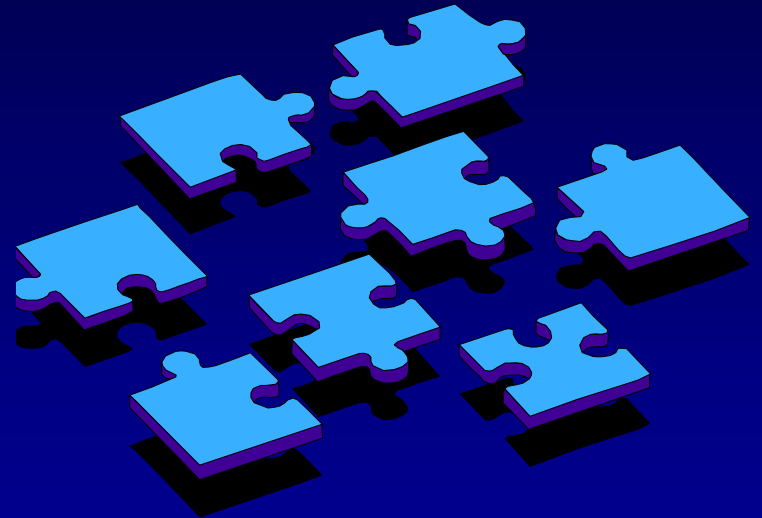
Involve – Other Existing Forums and Tasks

- ie: Clean Rivers Program Contractor and Basin Steering Committee
- Other existing forums — include all sectors (industry, estuary programs, State agencies, etc.)
- TCEQ will publish formal public comment periods in the *Texas Register* and on the TCEQ Web site



Involve – Tools

- Project Overviews
- Web site
- Presentations
- *Texas Register*
- Response to comments



The Next Level - Choosing to Consult

- Is the water body a priority for stakeholders or political leaders?
- Does the project have the potential to affect a large number of people?
- Are there a variety of approaches or solutions to the problem?
- Is it certain that a load allocation will be needed?



At the Consult Level

- TCEQ's Commitment to Stakeholders are to:
 - Include all sub-levels from Involve, plus:
 - Work with stakeholders to ensure they understand the issues and their ideas are considered
 - Solicit stakeholder comment at each milestone in the project's development



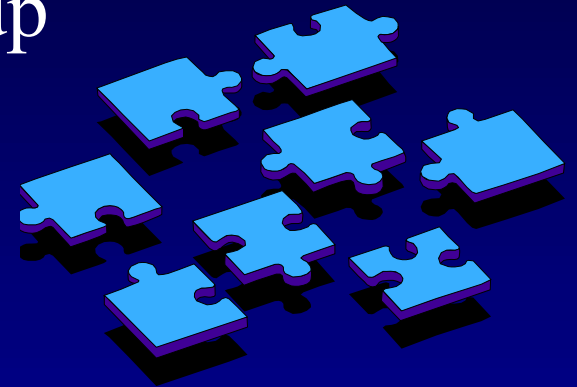
Consult – Other Existing Forums and Tasks

- Use existing groups if representation is balanced (*existing groups were non-existent*)
- Form a stakeholder group with balanced representation (*complete and formalized*)
- Ensure representation at state, basin, and watershed level (*complete and formalized*)
- Hold meetings at each milestone in the project's development (*currently in progress*)



Consult – Tools

- All the tools from the Involve level, plus:
- Structured committee/work group
- Established ground rules
- Facilitator recommended
- Publish meeting dates, agendas, and minutes on TCEQ Web site if special group formed



The Highest Level - Choosing to Collaborate

- Are stakeholders willing to devote the time needed?
- Does the TCEQ have the time and resources to support the group?
- Is implementation likely to require significant voluntary management measures?



At the Collaborate Level

- TCEQ's Commitment to stakeholders are to:

- Include all sub-levels from Involve and Consult, plus:

- Stakeholders provide advice and innovation in formulating the project and share in decision making

- Incorporate stakeholder suggestions to the maximum extent possible within legal and technical constraints



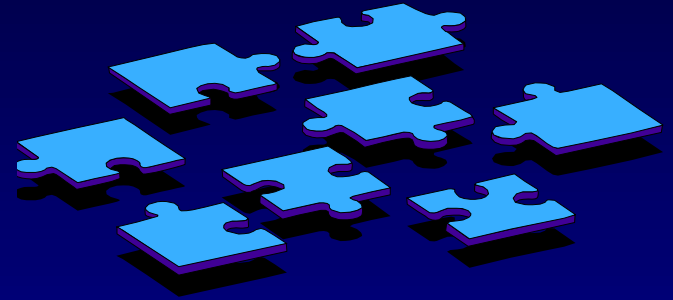
Collaborate – Forums and Tasks

- All forums and tasks from the Involve and Consult levels, plus:
- Hold regular meetings timed to allow for maximum possible participation in all project phases
- A Technical Advisory Subcommittee may be needed



Collaborate – Tools

- All the tools from the Involve and Consult levels, plus:
- Facilitator required
- Public outreach in the watershed in concert with other agencies (may use existing materials)



Maintain the Stakeholder Group

Requires informing the public by providing:

- TCEQ Web site
- Your Web site (optional)
- Prior notice of meetings and agendas
- Posting of meeting minutes and attendance
- Legal Basis — House Bill 2912, Section 1.10, Section 5.07 Texas Water Code



[www.tceq.state.tx.us/water/
quality/tmdl/](http://www.tceq.state.tx.us/water/quality/tmdl/)



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